

ATTACHMENT I – SECTIONS B THROUGH M ADDENDUM

**SECTION B --- SCHEDULE OF SUPPLIES AND SERVICES (CONTINUED ON
NEXT PAGE)**

SCHEDULE OF SUPPLIES SERVICES AND PRICES					
<i>CLIN</i>	<i>DESCRIPTION</i>	<i>QUANTITY</i>	<i>UNIT</i>	<i>UNIT PRICE</i>	<i>EXTENDED AMOUNT</i>
<i>Base Period</i>					
0001	Mail Operations	12	Mo		
0002	Scanning	12	Mo		
0003	Scanning Registered Files	12	Mo		
0004	Fee Processing	12	Mo		
0005	Tagging	12	Mo		
0006	Proofreading	12	Mo		
0007	Program Manger Services	12	Mo		
<i>Option I</i>					
1001	Mail Operations	12	Mo		
1002	Scanning	12	Mo		
1003	Scanning Registered Files	12	Mo		
1004	Fee Processing	12	Mo		
1005	Tagging	12	Mo		
1006	Proofreading	12	Mo		
1007	Program Manger Services	12	Mo		
<i>Option II</i>					
2001	Mail Operations	12	Mo		
1002	Scanning	12	Mo		
2003	Scanning Registered Files	12	Mo		
2004	Fee Processing	12	Mo		
2005	Tagging	12	Mo		
2006	Proofreading	12	Mo		
2007	Program Manger Services	12	Mo		
<i>Option III</i>					
3001	Mail Operations	12	Mo		
3002	Scanning	12	Mo		
3003	Scanning Registered Files	12	Mo		
3004	Fee Processing	12	Mo		
3005	Tagging	12	Mo		
3006	Proofreading	12	Mo		
3007	Program Manger Services	12	Mo		
<i>Option IV</i>					
4001	Mail Operations	12	Mo		
4002	Scanning	12	Mo		
4003	Scanning Registered Files	12	Mo		
4004	Fee Processing	12	Mo		
4005	Tagging	12	Mo		
4006	Proofreading	12	Mo		
4007	Program Manger Services	12	Mo		

NOTES: THE ANTICIPATED PERIOD OF PERFORMANCE FOR THE BASE PERIOD IS OCT 1, 2006 THROUGH SEP 30, 2007. THE RESULTANT CONTRACT WILL INCLUDE FOUR 12 MONTH OPTION PERIODS. EACH OPTION, IF EXERCISED, WILL EXTEND THE PERIOD OF PERFORMANCE AS FOLLOWS:

BASE PERIOD: 1 OCT 2006 THROUGH 30 SEP 2007
OPTION I: 1 OCT 2007 THROUGH 30 SEP 2008
OPTION II: 1 OCT 2008 THROUGH 30 SEP 2009
OPTION III: 1 OCT 2009 THROUGH 30 SEP 2010
OPTION IV: 1 OCT 2010 THROUGH 30 SEP 2011

CLIN LIST

CLIN 1 MAILROOM PROCESSING
CLIN 2 FEE PROCESSING
CLIN 3 SCANNING NEW PAPER APPLICATIONS, SCANNING INCOMING PAPER CORRESPONDENCE, MISC SCANNING SERVICES
CLIN 4 SCANNING REGISTERED FILES
CLIN 5 DATA ENTRY (TAGGING)
CLIN 6 PROOFREADING
CLIN 7 PROGRAM MANAGER

SECTION C -- DESCRIPTIONS AND SPECIFICATIONS

C.1. BACKGROUND

Over the last four years, the Trademark Office has undergone a dramatic redesign of most of its business processes, from application intake processing to examination to the publication process. In 2002, the majority of the process was paper-based. As recently as 2005, paper processes were undergoing redesign to eliminate the movement of paper files. At present, many of the paper-based processes have been eliminated while the majority of those that remain have transitioned to an electronic process. Ninety percent of all newly filed applications are now submitted electronically via the internet, requiring a fraction of the data entry and manual processing required for paper applications. The need for physical movement of files has virtually disappeared and the storage of pending applications has moved from an on-site docket area to the off-site USPTO warehouse facility. Electronically submitted subsequent filings are automatically uploaded, bypassing the need to physically process all but paper correspondence. Dockets are completely electronic for the core examination function. Notification of remaining pending work and subsequently filed documents are derived from electronically produced

lists, updated daily, rather than by visual inspection of paper files in storage areas awaiting processing.

Administrative services to handle initial examination intake operations (mailroom operations, data entry, scanning, fee processing, file assembly) and proofreading prior to assignment for publication in the Trademark Official Gazette (OG) have historically been handled by a contractor. These services are currently being provided under contract number DOC50PAPT201008.

A single award will be made for the services under this performance-based contract.

C.2. SCOPE of REQUIREMENT

The contractor shall furnish the necessary personnel, material, equipment, services and facilities, except as otherwise provided or specified, to perform the following Statement of Work/Specifications. Services are required to provide administrative support to handle the initial examination intake operations (mailroom operations, fee processing, scanning, data entry) and proofreading for and assignment of Trademark OG issue dates for the Trademark Office. These services are required year round, and with the exception of occasional systems user interface testing, services are required Monday through Friday. The USPTO office space is open 24 hours a day, 7 days a week. However, heating and air conditioning hours are limited to 6:00 am to 7:00 pm Monday through Friday (except Federal holidays). Overhead lighting is provided from 5:00 am to 10:00 pm Monday through Friday.

Workload volumes (historic) for the first 5 months of FY 2006 and for projected workload volumes over the contract life are provided in Section C.5. Projected workload volumes shown in C.5. could fluctuate by plus or minus 10%. Cycle time requirements are summarized in section C.6.

C.3. GENERAL

Equipment and Systems

The government estimates that systems will be operational at least 95% of the time. The government will supply 96 desktop workstations to include a PC, barcode reader, and printer for each workstation as well as all government-developed applications systems required to perform the services required. Another 16 workstations are provided to monitor throughput in the Trademark Image Capture and Retrieval System.

The contractor is required to notify the OCIO Helpdesk immediately of government provided equipment and systems malfunctions or problems.

Government Furnished Office Supplies.

All usual office supplies will be provided by the government.

Program Management. (applies to CLIN 7)

An on-site Program Manager (PM) is required to be assigned by the contractor. The PM shall be the point of contact for, and shall ensure for the smooth functioning of, the services required under the contract. The PM is required to possess above average information technology skills. The PM will be identified as "Key Personnel" in the contract. Upon contract award the contractor shall provide the resume of the PM assigned. The PM may not be changed to another person without the concurrence of the COTR. Any substitute PM must at least meet the skills and qualifications of the initial PM assigned to the contract. The PM shall meet monthly with the COTR to discuss the status of all services.

Reference Documents

Reference documents identified throughout this contract are dynamic and updated very frequently due to systems changes and ongoing process improvements. Some are maintained on the USPTO website. Reference documents provide specific processing requirements. For ease of reference, each is listed below, and is identified with the CLIN with which it supports. Those included as attachments in this SOW will be maintained by the COTR on a USPTO shared drive after award of the contract.

Reference Document Name	Pre-contract Location of Reference Document	CLIN1 Mailroom Processing	CLIN 2 Fee Process-ing	CLIN 3 Scanning New Paper Applications, Incoming Paper Correspondence, Misc Scanning Services	CLIN 4 Scanni ng Registe red Files	CLIN 5 Data Entry	CLIN 6 Proof-reading
Rightfax to TIGRS (FIT) Processing Instructions	In RFP	X					
Instructions - Assembling New Applications	In RFP	X					
Instructions for Processing Fastener Quality Act Filings	In RFP	X					
Incoming Mail Instructions	In RFP	X					
Label Machine Instructions	In RFP	X					
The Design Search Code Manual and Instructions	http://www.uspto.gov/marin/trademarks.html	X	X	X	X	X	
Identification of Goods and Services Manual.	http://www.uspto.gov/marin/trademarks.html					X	
Merriam-Webster's Collegiate Dictionary 10th Edition	Provided electronically on the desktop only. Used to identify Pseudo Marks.					X	
Informalities Template Instructions	In RFP	X				X	
List of Data	In RFP					X	

Entry Fields							
TICRS IMAGE RETRIEVAL (TIR) and DATA MAINTENANCE MODULE (DMM) Users's Manuals	http://ptoweb/ptointranet/cisd/it_support/user_guides/user_guides.htm	X	X	X		X	
Fee Processing Instructions	http://ptoweb/ptointranet/comptroller/officefinance/documents/policiesprocedures.htm		X				
Special Proofing Instructions from COTR	In RFP						X
J-Notes	In RFP						X
TICRS-IPC- User Manual	In RFP			X			
TICRS Systems Interfaces	In RFP			X	X	X	
Special Tagging Instructions	In RFP						X

Quality of Services

Government Quality Control

The government's Quality Control Plan is provided in Section F "Delivery and Performance". The government will monitor and evaluate the adherence to the contract and to the Contractor's Proposed Quality Assurance Plan which will be incorporated into the resultant contract. These procedures involve reviewing and auditing the services and activities to verify that they comply with the applicable procedures and standards, and assuring the appropriate visibility for the results of the audits and reviews.

Accuracy Standards

Accuracy standards for CLIN 5 is required to be maintained at no less than 98%. Accuracy standards for all other CLINs are required to be maintained at no less than 95%. Error definitions are provided for critical services within this document. Accuracy for these critical services will be measured according to these error definitions.

Cycle Time Standards

Cycle time standards are provided throughout this document and itemized in Section C.6. Cycle time standards are required to be maintained at no less than 100% and will only be relaxed by the COTR in the event of a building or government shutdown.

C.3.1. MAILROOM OPERATIONS (applies to CLIN 1)

The operation of the Trademark mailroom covers traditional mailroom operations, initial processing of incoming mail (both electronically-received and traditional, paper mail)/processing all outgoing mail, but also includes non-traditional mailroom operations such as printing incoming electronic filings (not to be confused with electronically received new applications which are not printed), transferring electronically-received faxes to an image database, assigning serial numbers and filing dates to new paper applications, and processing USPS-returned mail.

As the Trademark Office has transitioned to a more electronic office, more and more filings are submitted electronically, rather than on paper. Some electronic filings continue to require some manual processing to move them from one system to another, or require manual processing after certain points in the process, pending complete automation of the entire process.

The services shall provide for:

- Pick up of Trademark inter-office mail (no file wrappers, except those in interoffice envelopes) from designated Madison East Building Trademark Office mail-stops (no more than 35 mail stops), sorting Trademark inter-office mail, and delivering all mail (inter-office and mail from the mailroom) to designated Trademark mail stops twice daily between the hours of 10 and 11 am and again in the afternoon between 3 p.m. and 4 p.m.;
- Depositing interoffice mail in appropriate pick up location;
- Once daily pickup of Trademark mail from the Crystal City Post Office for incoming Madrid/Petitions/Fastener Quality Act filings and the UPS Store in Alexandria for the Trademark Law Library. The PTO shuttle and the Alexandria shuttle may be used for transportation. The volumes for all pickups average 80 pieces a week.
- Delivery of all Work Location Routing Sheets twice daily to appropriate Trademark office destinations in the Madison East Building;
- Assignment of Trademark mail dates (filing dates) to incoming mail each day according to Office rules, and affixing identifying information to incoming mail;
- Processing of all USPS-returned mail within one business day of receipt in the mailroom;
- Research of incoming mail lacking serial number identification for proper processing;
- Resolution of internal inquiries about mail received, within 4 business hours of the request;
- Boxing of all Physical Location Routing Sheets within 1 business day of scanning;
- Mailing of postcards within one business day of receipt, ensuring appropriate postage is applied
- Processing of all Fastener Quality Act Filings within 1 day of receipt;
- Overview of all postal equipment operations: Notifying the COTR when postal equipment malfunctions; ensuring that meters are applying the correct postage, that USPS rate changes are reflected timely, that printers have ink; notifying government monitors when additional funding for postal machines is required;

- Inserting outgoing mail into appropriate envelopes, sealing envelopes;
- Application of proper postage to all outgoing mail;
- Dispatch of outgoing mail to the USPS and other commercial carriers, within one business day of receipt
- Resolving mail related problems, the resolution of which requires interface with the USPS and the USPTO primary mailroom;
- Processing of outgoing mail requiring special handling, within one business day of receipt;
- Tracking all courier-barcoded incoming mail delivered (ie, USPS, Fed Ex, etc.), within 4 business hours of receipt in the mailroom;
- Electronic upload of all incoming faxes within one business day of receipt;
- Weekly Pick up of Official Gazette proofs delivering them to the Office of Trademark Quality Review in the Madison East Building upon notification from OCIO that the proofs are ready for pickup;
- Printing out designated electronic submissions (TEAS forms) (1-page forms) and delivering them to addressees, as presented for printing within 4 business hours of receipt;
- Occasional pick up of printouts from PTO Carlyle campus sites and bringing them to a Trademark Office in the Madison East Building, as requested;
- Return of any checks or incoming correspondence to the applicant that cannot be processed due to a lack of necessary processing information, using the appropriate form transmittal letter provided by the government, within two business days of receipt;
- Assembly of file wrappers for all new application files, printing and affixing serial number barcodes for file wrappers, performing necessary TRAM transactions on assembled files. Starting in the 6th month of Option Year I, assembly of new TEAS application files will be eliminated except when subsequent paper documents are filed;
- Daily monitoring of all the email boxes identified in the Incoming Mail Instructions;
- Process informal applications upon internal request within 4 hours of the request.

Error Free Definitions:

- **USPS-Returned Mail.** Error free means that all USPS-returned mail with new addresses are remailed, that correct tram transactions are taken, and that the correct form letter is used.
- **TEAS Processing:** Error free means that no TEAS Routing Sheets are printed twice and that all TEAS Routing Sheets are delivered to the correct destination.
- **Rightfax Processing.** Error free means that no credit card or check routing information is uploaded, that faxes are identified with the correct serial number, that all faxes received in the TIGRS Archive electronic directory that contain serial numbers are uploaded to TIGRS, and that no faxes with serial numbers are deleted.
- **Incoming Paper Mail:** Error free means that all courier-issued barcodes are recorded and mail dates are assigned appropriately.

Government-Supplied Hardware:

- Pitney Bowes mail equipment, purchased in late 2005
 - 1 Pitney Bowes Inserter, DJ950
 - 2 Pitney Bowes Meters, DM1000
 - 1 Pitney Bowes Arrival System (for tracking barcoded mail)
- High speed printers both in and adjacent to the mailroom (4 color printers and 5 b&w)
- 7 copiers
- 3 Datamax label printers

Government-Supplied Software or Applications Systems:

- Fax 2 TICS (FIT) – for processing incoming RightFaxes
- TICS – used for quality control purposes in the mailroom
- TRAM – used for quality control purposes in the mailroom
- X-Search – to research marks on filings missing serial numbers
- Data Maintenance Module (DMM) – for correcting work (faxes with incoming credit card information, for example) and to reclassify documents within TICS
- PC-BCR – for scanning barcodes

C.3.2 FEE PROCESSING (applies to CLIN 2)

The Fee Processing task encompasses all fee-related transactions at the pre-examination stage. Trademark fees are collected in two categories: (1) fees associated with new Trademark paper applications; and (2) fees associated with paper-submitted flatwork, i.e., various actions (petitions, extensions, etc.) that take place after a Trademark application has been filed. Services shall provide for:

- processing fee payments by the associated application serial number or registration number submitted (on incoming paper documents only) by cash, check, deposit account, credit card and any combination thereof;
- processing fee refunds;
- determining the proper fee code for each transaction;
- responding to walk-in fee-related inquiries by the public as requested;
- responding to internal fee-related, serial number-specific inquiries, within 4 business hours of the request;
- resolving fee-related problems with specific filings, contacting the applicant only when authorized by the COTR, within 4 business hours of the request;
- accepting filings from walk-in customers during the hours of 8:30 a.m. and 5 p.m. Monday-Friday;
- handling cash and equivalent monetary instruments;
- reconciling daily fee activity including submitting accurate bank deposits.

Data is identified from source documents and accurately entered into automated systems. Daily reconciliation of financial data in preparation of supporting financial documentation is required. Fee transactions are processed on a first-in first-out (FIFO) basis and must be completed within 2 business days of receipt of the filing in the mailroom. One Customer Service representative is required to staff the window in room A2-C55 Madison East Building Monday through Friday from 8:30 am to 5 PM to accept hand-delivered filings and to provide fee services for walk-in traffic.

Government-Supplied Hardware:

- 5 Welch Allen Scanteam 8300 MICR Check Scanners

Government-Supplied Software:

- RAM – accounting system
- TRAM
- TICRS

C.3.3. SCANNING (applies to both CLINS 3 and 4)

Virtually all incoming paper documents (incoming mail and new paper applications) are scanned with very few exceptions. New paper applications are scanned and prepared for data entry. About 25% of the registered files residing in the warehouse have been scanned and the remainder needs to be scanned over the next two years (e.g., Base Period and Option Period I). Additionally, there are always miscellaneous scanning and scanning-related tasks to complete, such as occasional requests from examining attorneys, emailed requests from the public for documents in pending or registered files, requests to reclassify a file, etc.

The contractor must be able to interact with Government and other contractor resources at a level that will facilitate solutions to data and workflow problems and other software and hardware system interactions, such as troubleshooting problems, especially during software updates of InputAccel, FIT, and Incoming Paper Correspondence, for example, and routine testing of contractor-used user interfaces of software updates. Such testing is usually performed at night or on weekends and sometimes at very late or very early hours of the day. Testing will require the presence of the contractor to interact with the government managing the software installations. Over the last six months, software update testing has occurred approximately four times. The government will require testing by the contractor no more than 12 times in any contract period (base or option). The contractor may also be asked to help the government in testing and evaluating replacement scanning equipment. Over the last 3 years, this occurred one time. Testing can take between 30 minutes and 3 hours.

The contractor must monitor the electronic scanning folders and directories on a daily basis in order to ensure complete throughput of the scanning workflow. The new application scanning operation utilizes a software application called InputAccel to handle the various types of incoming documents that feed TICRS, Xsearch, and other databases. InputAccel automatically captures data from paper documents in new applications and validates the information for accuracy before exporting it to database and enterprise content management systems. The contractor will monitor InputAccel's supervisor module to view and control scanned data after processing and take corrective action as needed.

The contractor is required to perform the following basic scanning equipment maintenance on all scanning equipment used by the contractor to keep scanning surfaces clean and scanning equipment parts running smoothly.

- Ensure that all staples, paperclips and other metal objects are removed before scanning;
- Clean glass and keep it clean from smudge marks that could reduce the quality of an image;
- Keep foreign debris out of paper paths;
- Maintain clean area around scanner to prevent debris from getting into scanner;

- Conduct regular checks to ensure that components don't need replacing and that parts are not broken;

Government-Supplied Hardware:

36 Panasonic s7065C desktop scanners (for use with Input Accel, EDODS and CST)

- Color scanning speed: 13.25 seconds per 8.5 x 11 in page (simplex); file jackets at 12 seconds per side
- B&W scanning speed: 1.8 seconds per page

16 Fujitsu fi-4750C desktop scanners (for use with IPC and CST)

11 Panasonic S7065C's are planned to be ordered and expected to be deployed in FY 06.

Hand-held Polaroid Camera (for unusually bulky specimens) – about 1-2 a week for new applications and incoming paper correspondence. Approximately 3% of all registered files requiring scanning contain specimens so bulky that a photograph must be taken.

Government-Supplied Software Applications:

- Color Specimens to TICS (CST) – for scanning color documents
- Data Maintenance Module (DMM) – for classifying scanned documents and correcting data errors
- Event-Driven on Demand Scanning (EDODS)/Scan on Demand (SCOD) – for scanning all non IPC documents in black and white
- Trademark Image Capture and Retrieval System (TICS) – for retrieving and viewing scanned documents
- Trademark Reporting and Management System (TRAM) –using PC BCR (PC Barcode Reader) to assign files to the correct status and location.
- Incoming Paper Correspondence (IPC) – for scanning incoming paper correspondence or anything for which a prosecution history of PAPER RECEIVED is needed

C.3.3.1 New Paper Applications (applies to CLIN 3 only)

Trademark applications received on paper must be prepared (processed) in order to ensure all pertinent information is captured and entered into databases during the scanning operation. Most applications are approximately 7 to 10 pages in length. Each application has: a “drawing page” (which may or may not be a distinct and separate page), specimen pages (which may or may not need to be created by the contractor from bulky items submitted by the applicant), and the body of the application. Approximately 30% of all applications with specimens will have color specimens. Paper applications must be available for viewing in TICS, searchable via X-search, and the physical file charged to the next processing physical location within 4 business days of receipt in the mailroom. Services required are:

Pre-processing and scanning of paper applications:

- Document preparation of new paper applications: assignment of the application serial number, initial and final assembly (placement in file jackets, affixing labels); removal of any non-scannable objects, such as staples, paperclips, etc.; identification of the application components, especially of embedded drawings and specimens that cannot be captured digitally; identification and processing of any bulky (non-scannable) specimens submitted with an application, including digitally photographing or photocopying bulky specimens;
- Scanning paper applications;
- Visual quality inspection of scanned document images to ensure that text and images are readable; that all pages were actually scanned; and to ensure no visually perceptible skewing of the drawing page;
- Identification of Trademark application components for indexing (identifying the drawing page, the specimens, and the body of the application);
- Electronically indexing images within the user interface so that parts of the application are uploaded to appropriate databases;
- Electronic transfer of image and OCR files to Trade-Ups (a Trademark data entry system) by uploading the images and daily monitoring of the various electronic folders to ensure uploads were successful;
- Checking necessary electronic directories each day through Explorer in order to review drawing pages that were not cropped and resolve by ensuring drawing pages with embedded drawings are sent to this directory that are croppable;
- Checking necessary electronic directories daily to ensure files are uploaded and alerting technical experts when problems are encountered (usually storage-related problems);
- Screening all files purportedly needing rescanning to ensure rescanning will fix the problem;
- Troubleshooting all missing images from files provided to the contractor as identified by the government;

Error Free Scanning Definition: Error free means that (1) all papers requiring scanning are scanned, and (2) all images are captured with clarity and color images are scanned in color, (3) the requisite pages are classified correctly to identify content, (4) the pages, and especially the drawing page, have been scanned without any noticeable skew, (5) papers are not damaged in any way during document preparation or scanning, (6) that only one application is scanned per serial number, (7) documents are readable to the extent possible upon examination when accessing the electronic record, and (8) all documents scanned are in specified image resolutions (300 dpi) and in specified file formats (color must be in jpeg and black and white images must be in TIF.).

C.3.3.2 SCANNING INCOMING PAPER CORRESPONDENCE (applies to CLIN 3 only)

The majority of paper correspondence received is related to a previously filed application. With a few minor exceptions, the majority of these documents are to be scanned, reviewed for clarity and associated with the original application by the reference serial number. As each item is scanned, an entry is made automatically in the Prosecution History of TRAM, and two “Routing Sheets” are generated. One Routing Sheet follows the paper document and the second serves as a proxy for work to be performed by Trademark examiners in response to the incoming document, pending development of an electronic workflow system.

Incoming paper correspondence is to be scanned within 3 business days of receipt in the mailroom. The following are the services required:

- Document preparation of incoming paper correspondence: removal of any non-scannable objects, such as staples, paperclips, etc.; identification and processing of any bulky (non-scannable) items, including digitally photographing or photocopying bulky specimens (approximately 2 a week);
- Identifying the serial number
- Identifying the document type
- Scanning
- Affixing the Physical Location Routing Sheets to the incoming document, two-hole punching the two documents together, and sorting the documents into series-specific boxes for pickup and transfer to the warehouse.
- Visual quality inspection of scanned document images.

Error Free Scanning Definition: Error free means that (1) all papers requiring scanning are scanned, and (2) all images are captured with clarity and color images are scanned in color, (3) the requisite pages are classified correctly to identify content, (4) the pages, and especially the drawing page, have been scanned without any noticeable skew, (5) papers are not damaged in any way during document preparation or scanning, (6) that only one document is scanned per serial number, (7) documents are readable to the extent possible upon examination when accessing the electronic record, and (8) all documents scanned are in specified image resolutions (300 dpi) and in specified file formats (color must be in jpeg and black and white images must be in TIF).

C.3.3.3 SCANNING REGISTERED FILES (applies to CLIN 4 only)

There remain 615,000 active registered files to be scanned. Each fiscal year, the Trademark Office will identify approximately 307,500 files to be scanned, until all files are captured. Approximately 75% of these files contain at least one color document.

Requirement:

- Scan registered files identified by the government and to the extent possible, in the general order in which the files are listed;
- Classify the registration certificate and the most recent incoming document; and,
- Scan all color documents in color.

File Condition: Many registered files can be in poor condition. For example, file wrappers of files that registered in 1980 or earlier have already begun to deteriorate and have separated at the seam. Many pages within the file wrapper are delicate. Documents will need to be unstapled, paperclips removed, and the file generally prepared for scanning. Approximately 3% contain bulky specimens so bulky that they must be photographed.

- Average number of pages per file (not including the 6 flaps of the file wrapper): 53 pages (approximately 38% of files may exceed 53 pages). Some files will have significantly more than 53 pages, while other may have less.
- Average number of pages of colored documents: 7 pages per file (approximately 27% of files are expected to have more than 7 pages of color documents).
- Average number of pages not 8.5 x 11 inches: 22 pages per file (approximately 36% of files are expected to contain more than 22 pages that are not 8.5 x 11 inches)

How to obtain files to scan: Order files to be scanned using the FOS (File Ordering System) on the desktop, and typing in the serial number or registration numbers of the files being ordered. Files are normally delivered within 1 to 2 business days from the warehouse to a central delivery location in the Madison East Building. The clerical contractor will contact the scanning contractor when files ordered from the warehouse are ready for pick-up. If the scanning contractor is not notified within two business days, the scanning contractor is required to follow-up on status and to notify the COTR.

Government-provided List of Files to Scan: The Government will hand-deliver or email a list of serial/registration numbers of files to scan at the beginning of each fiscal year. Skip over (ignore) any LOST files on this list as the physical files are not readily available for scanning. This list represents the files eligible for post-registration examination for the fiscal year. To the extent possible, all files on this list should be scanned in the order in which they appear on the list. This should help the government ensure that the file contents are available in TICSRS when the file is most likely to be examined.

Arrival of Files to Scan: File location and status is recorded for every application and registered file in TRAM. As a rule the movement of files requires the use of PCBCR to

record these changes when ordering a file and when it is received. The exception to this procedure is when a file is ordered from the warehouse with a physical location of 40S. You may assume that the file is in the correct Physical Location of 40S, but realize that if it is not, the file must be returned to the central delivery location with instructions written on the front of the file that it was not properly trammed and cannot be scanned. The clerical contractor will notify the scanning contractor when the files are available in the central delivery location for pickup by the scanning contractor. The clerical contractor's workload should allow them to complete inbound processing of the files delivered from the warehouse within one day. If the scanning contractor is not notified within two business days, the scanning contractor is required to follow-up on status and to notify the COTR. There is inadequate storage space on the 4th floor for the expected volume. The scanning contractor will need to store "in-process" files on the Concourse level in shelving and space provided by the Government. Files shall be processed and scanning completed within 5 business days of receipt.

Error Free Scanning Definition: Error free means that (1) all files requiring scanning are scanned, and (2) all color images are scanned in color, all pages within the file folder are scanned, all parts of the file folder itself are scanned, the requisite pages within the file are classified correctly (meaning the registration certificate and the most recent incoming document), the pages within the file have been scanned without any noticeable skew, registration certificates of any type within the file folder are not damaged in any way during document preparation or scanning, the proper flags in TRAM are set, and every effort has been made by the contractor to make scanned aged and faded documents readable upon examination by the government and the public when accessing the electronic record.

Scanning the Files: All files must be scanned into TICRS using the application "EDODS" for B&W images and "CST" for color images.

Approximately 75% of all registered files contain a color document, generally a magazine or a brochure.

Black and white images: Files contents must be viewable in the Unclassified category in TICRS in the order in which they appear in the physical file wrapper. The file wrapper should appear first, the documents in the middle of the three part file wrapper should be next with the documents on top appearing first, then the documents on the left and finally the documents on the right. Scan registered file content in the following order, using EDODS, which will place all the documents into the Unclassified category.

- Do not scan the pink Statement of Use (SOU) or other similar tags, but do replace them in the file when you have completed scanning the files.
- Foreign Registration Certificates: Foreign registration certificates and other certification-type documents that have not been scanned before (ie, are not already "degrommeled"/separated) must be scanned so as not to destroy the original document.

- Do scan any “post-it” or other similar notes in the file.
- For “bulky” specimens or exhibits:
 - **Books** – a volume made up of written or printed pages fastened along one side and encased between protective covers.
 - Scan only the cover, the binder, the Table of Contents, the back cover, and any page(s) specifically tabbed by the registrant.
 - Photocopy that which will not scan well and scan the photocopy
 - **Magazines** – a periodical containing a collection of articles, stories, pictures, or other features
 - Scan only the cover, the binder, the Table of Contents, and any page(s) specifically tabbed by the registrant.
 - Photocopy the cover of any glossy magazines that won’t scan well, and scan the photocopy
 - **Pamphlets and Brochures** – anything that is not clearly a magazine
 - Scan the entire item. The idea is that the examiner would like to view the advertising to see if the registrant is providing the goods/services stated in the application.
 - **Other Bulkies** - photocopy or digitally photograph any bulkies that won’t scan because of physical characteristics (like a bottle....). Be sure to capture any writing on the item.
- Color images may be scanned in through EDODS, but will appear only in B&W;
- Scan all parts of any digital bulky specimens with marks or writing or notations on them; and,
- Reassemble all files in the order in which they arrived. Restapling of documents is not necessary.

Scanning in Color: Using the software application Color Specimens to TICS (CST), scan each color document. This will append the color document to the Specimens category. Move these from the Specimens category to the Unclassified category using DMM, placing these images either at the bottom of the Unclassified category or next to the B&W copy embedded within the unclassified category. Duplicates need not be deleted.

- File Wrappers: As long as the handwriting on the file wrapper is legible in TICS, scanning these in color is not required;
- Other: Anything else in color must be scanned in color. Scan the entire document;
- Specimens scanned in color may stay in the Specimen category; and,
- Exhibits scanned in color may stay in the Specimen category, reclassified under the document type of Exhibit.

Classification: Classify the scanned documents as follows: Identify the registration certificate and the most recent incoming document from the applicant, regardless of the mail date/age of the document. Using the Data Maintenance Module, move the registration certificate to the Registration Certificate category and move the most recent

incoming document to the Paper Correspondence Incoming category. Not all registered files contain registration certificates in the physical file wrapper. This is because the government stopped inserting paper copies of this document in the spring of 2004 and began electronically inserting them into the Registration Certificate category automatically.

The reclassification of documents requires that you supply a date in the user interface. Use the date that the document was scanned.

Final Processing: Once done with scanning, reassemble the files and perform transaction 6501 to OUT on PCBCR using workstation 40S. The transaction updates the Physical Location and Date along with flipping a flag in TRAM indicating that the contents of the file have been scanned into TICRS. Take the files back to the central delivery location on the 4th floor and the clerical contractor will ensure they are returned to the warehouse.

C.3.3.4 MISCELLANEOUS SCANNING and SCANNING-RELATED SERVICES **(applies to CLIN 3)**

The Trademark Office requires the following scanning services. Please refer to Section C.5. for volume estimates:

- scanning of miscellaneous documents that must be appended to the TICSRS record, such as voluminous evidence, Madrid Protocol-related documents, and miscellaneous documents sent to the TTAB. Generally, this is upon request.
- scanning of registered and on rare occasions, pending, files. These are special requests for scanning files on demand. There are fewer than 300 pending files missing in TICSRS.
- classification of scanned records in TICSRS, upon request
- scanning of series 89 documents.

Additionally, the Office requires daily monitoring of a public email box, to review requests for scanning files not in TICSRS or to scan or rescan specific pages within a file. This will involve ordering the file from the warehouse, scanning either the entire file or specific pages, and returning the file to the warehouse after scanning. No response to the requestor is required. Also required is the daily monitoring of internal email box, TM TICSRS Indexing, for requests from examiners and other managers to index unclassified scanned files.

Cycle time for all miscellaneous scanning and scanning-related tasks is one business day from the date of the request. This means that within one business day of the request the file must be ordered if not provided by the requester, or the document/file if provided must be scanned and reclassified. Files ordered must be processed within one business day of receipt.

C.3.4 DATA ENTRY (Tagging) (applies to CLIN 5)

Services are required for the identification and “tagging” of data elements from scanned paper applications and electronically-received applications to capture the content in the appropriate data fields in the TRAM database. Nearly ninety percent of all new Trademark applications are received electronically through the Trademark Electronic Application System (TEAS). The initial processing of TEAS filed applications are electronic and no paper copies are produced. The content of data from TEAS applications must be uploaded in TRAM and made available for searching in X-search within 1 business day of application retrieval. Paper applications must be tagged so that the application’s processing is completed within 5 business days (includes fee processing, scanning, file assembly, and tagging). Paper applications contain more than 80 data elements that may require data entry with most applications containing approximately 25 data elements. By contrast, TEAS applications contain only 5 data elements requiring data entry, with some rare exceptions.

Paper Application Process:

- Using a PC and monitor with a split-screen image, highlight and move information from the data captured from application's OCR'd image in TICS to the appropriate fields on the data entry form (tagging) in TRADEUPS;
- Review each application for completeness, conformance with requirements, and the presence of all information required to assign a filing date;
- Determine and assign design search codes, mark drawing codes, and other supplemental information as appropriate and key enter this information into the appropriate location(s);
- Upload tagged data to complete the process.
- Process as “Informal” all files not meeting filing requirements, generate standard letter using Informalities template, process refund, and return original documents.

Electronic Application Process:

- Monitor the email box, TM TEAS ASSIGN, which contains daily incoming TEAS applications.
- Retrieve the application from the TEAS system
- Identify and categorize the pertinent data elements (tagging) in the same manner as is used in the processing of paper applications data is pre tagged or identified by data element.
- Create CDs of digital specimens that did not transfer with the TEAS application, as requested by a government monitor who will provide the electronic file for the CD. These occur infrequently. These CDs will be sent to both the warehouse and to the Law Library in Madison East for storage.
- Determine and assign design search codes, mark drawing codes, and other supplemental information as appropriate and key enter this information into the appropriate location(s);
- Transfer the application data to the appropriate databases.

MADRID PROTOCOL Applications. Applications that conform to the Madrid Protocol for international filing are normally received in an electronic format and are to be processed in a manner consistent with the rules for paper and TEAS applications. Applications filed under the Madrid Protocol represent fewer than 10 percent of the total Trademark application volume.

Filing Receipt Correction Requests. Data entry errors captured from the initial application filing may be identified by the applicant upon review of the Filing Receipt. On occasion, the applicant may write the office requesting correction to the data as entered by the contractor. These errors must be corrected within 1 business day of receipt of the request.

Error-Free Data Entry Definition: Error free means

- no valid Filing Receipt Correction Requests (ie, not preliminary amendments disguised as Filing Receipt Correction Requests) should have to be filed by applicants and the government should find no data entry errors during their tagging quality assurance inspections;
- paper applications meet the minimum standards for a filing date (ie, should not be processed as informal);
- that (1) all fields of all **76 series** applications are data entered (tagged) which includes the mark data, applicant's data, goods and services, filing basis data, foreign data (if necessary), other data (if necessary), attorney's data (if necessary) and correspondence data, (2) all mark drawing and design search codes are appropriately applied, (3) all pseudo marks are designated (if necessary), (4) all international classes are correctly assigned (if necessary), (5) all data is entered in the Trademark Data Entry Update System (TRADEUPS), (6) all data is uploaded, and (7) all electronic resources are utilized which includes manuals and dictionaries.
- that (1) all mark data for **78 series** applications are data entered (tagged), and (2) all international classes are correctly assigned (if necessary), (3) all mark drawing and design search codes are appropriately applied, (4) all pseudo marks are designated (if necessary), (5) all data is entered in the Trademark Data Entry Update System (TRADEUPS), (6) all data is uploaded, and (7) all electronic resources are utilized which includes manuals and dictionaries.
- that (1) all pseudo marks are designated (if necessary), (2) all design search codes are appropriately applied, (3) all word marks are complete, (4) all data is entered in TRADEUPS, (5) all data is uploaded, and (6) all electronic resources are utilized which includes manuals and dictionaries for **79 series** applications.

Government-Supplied Software

Trade-ups

TICRS

TRAM

Informalities Template

C.3.5 PROOFREADING OF FILES IN THE PUBLICATION PROCESS (applies to CLIN 6)

Services are required to ensure that trademark application files that have met the selection criteria for inclusion in the publication process are verified against the data in the electronic database prior to submission of electronic records to the Government Printing Office (GPO) for printing. Data quality is critical to the registration process and is a critical customer service issue, hence the requirement for proofreading data that has already been proofread several times up to this point in the process. The electronic application data, including a review of the file image, is checked against images of source documents in TICS to ensure that spelling, spacing, punctuation, and formatting are correct and that data is not missing or entered into incorrect fields or records. Errors are corrected by text editing the appropriate fields, using Trade-Ups, to bring the electronic database data into compliance with the application file. Questions to resolve substantive discrepancies between data in the application file and data shown in the full-file content and in the TRAM database are entered electronically using the “Jnotes” functionality in TRAM and the file is charged back to the appropriate law office for review and correction. An Official Gazette (OG) date is set by computer transaction for each application that is proofread and determined to be ready for publication.

Note: The CLIN 0006 “Proofreading” line item is for six months of Proofreading during the first 6 months of the contract’s base period. After this initial base period of 6 months for CLIN 0006, any additional requirement for Proofreading is an Option Quantity. During the Base Period of the Contract, the Proofreading Option may be exercised with 15 calendar days notice. The option quantity ordered will be in increments of months. Any quantity from 1 to 6 months may be ordered. The option may be exercised more than once as long as the total option quantity ordered does not exceed 6 months. Similarly, “Proofreading” is an Option embedded in Option Periods I through IV and is included in the base year of contract performance. During each Option Period of the Contract, the Proofreading Option may be exercised with 15 calendar days notice. The option quantity ordered will be in increments of months. Any quantity from 1 to 12 months may be ordered. The option may be exercised more than once as long as the total option quantity ordered does not exceed 12 months.

Requirement: Proofread all files identified on the daily electronic CM 154 report and either complete the process by scheduling the file for publication in the weekly OG or if additional changes are necessary return the file to the law office with an explanation for what needs to be changed or corrected within 5 business days of receipt of the file on the CM 154.

Receipt of Files to be Proofed: A daily electronic report entitled the CM 154 is emailed listing the serial numbers of files requiring proofreading. The report also contains a barcode of the OG date, appropriate to each serial number, to be set by the contractor by barcode transaction once processing is completed.

Government-Supplied Software Applications:

- Trademark Image Capture and Retrieval System (TICRS) – for viewing scanned documents
- Trademark Reporting and Management System (TRAM) – for tramming files using PC BCR (PC Barcode Reader)
- Trade-ups – for data entry
- PTONet email – for receipt of the daily CM 154
- Official Gazette Publication Review Screen for comparing data and image as it will appear in the published OG

Government-Supplied Hardware

Desktop PCs

- Single monitors only are provided. Dual monitors have been requested, but the government cannot promise to be able to procure these within the foreseeable future, especially considering that the proofreading task may be eliminated.

Error Free Proofreading Definition: Error free means that (1) all files on the CM 154 report are proofed, OG dates scheduled, or the file in question is sent back to the law office within 5 business days with a Jnote; (2) the correct OG date barcode is scanned for the file; (3) files are questioned for appropriate matters, (4) no error in spelling, spacing, punctuation, and formatting, (5) data is not missing, and (6) data is not entered into incorrect fields or records.

Volume Estimate and Turnaround Time: Files for proofreading are processed on a first-in/first-out (FIFO) basis, as they appear on the CM 154 report. Turnaround time is 5 business days from the date the file appears on the CM 154. Spikes in volume are to be expected after each December, March, June, and September examining attorney rating quarter ends, thus corresponding to spikes in examiner production. The contractor must be alert to receiving the automated daily report and notify both the COTR and a designated contact in the Office of Trademark Program Control immediately if the report is not received. Forty percent of all files are eventually proofed twice: once to schedule publication date followed by a Notice of Allowance in the OG, and again later for a registration date. Files sent back to the law office for questioning will be proofed at least twice and sometimes more than that. During the first 5 months of fiscal year 2006, 220,000 files were proofed (this includes multiple proofing for the same file).

C. 4. Reporting: The COTR, and others, require details, via the following required three reports, on services provided. The distribution of these reports may vary throughout the contract, depending upon the use of the reports and personnel changes. All reports are to be delivered via email. The current distribution list will be provided by the COTR at the time of contract award. The contractor will propose a format to use with submission of his first report and the COTR will respond with comments. The final format to be used for future reports is to be approved by the COTR>

C.4.1 Weekly COTR Report. Provide the COTR with a weekly report of production completed for each CLIN. The report is due each Monday by noon and must include weekly and YTD workloads for the following services:

Mail Processing (CLIN 1)

Total Count of Incoming Mail by source of type of mail received:

- Interoffice pickups
- Couriered mail
- USPS mail
 - USPS-returned mail
 - USPS-returned Tpostal postcards
- Walked-in mail received
- Mail from OIPE Received
- Other incoming

Total Count and costs of Outgoing Mail:

- Metered Automailer
- Pitney Bowes Inserter
- Pitney Bowes DM 1000

Other Total Counts:

- Rightfaxes
- Mail Sorted Out for TTAB
- TEAS Printouts
 - PRU
 - ROAs
- Items sent to the International Bureau
- Count of personnel on the contract.
- 89-series documents
- Fastener Quality Act Filings
- Paper-submitted Responses to Office Actions
- TEAS ROAS

Fee Processing (CLIN 2)

Fee Processing (number of transactions):

- New Application fees processed
- Flatwork fees processed

- Refunds processed
- Window Transactions
- Other transactions performed (summarized)
- Mailroom Processing:

Scanning:

- CLIN 3
 - IPC Count (Routing Sheets generated)
 - Paper applications scanned
 - Other items scanned (summarized)
- CLIN 4
 - Registered files scanned

Tagging (CLIN 5): identify a count of paper, electronic, and Madrid applications tagged.

Proofing (CLIN 6): a daily count of the files available for proofing on the CM 154 report, and the weekly summary counts of files proofed, including those questioned using J-Notes and returned for correction.

C.4.2 Weekly Report (CLIN 1). Is this the same report described above? Emailed to COTR and to a designated list of PTO recipients on Monday by noon the following: The report should cover all serial numbers in sequential order and the filing date assigned, tagging/upload date, assembly date, and completed date for each quarter. After each quarter, the report shall be archived, but must be retrievable in the event of questions.

C.4.3 Quarterly Report. Emailed quarterly and FY YTD counts for CLINS 1, 2, 3 and 6 as follows:

- Total Incoming Mail
- Total Outgoing Mail
- Total Fee Items Processed
- Total Incoming Paper Correspondence Scanned
- Total Number of Files Proofed

This quarterly report must be emailed to COTR by noon on Friday of the week following the quarters ending with December, March, June, and September.

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C.5. Historical and Projected Workload Volumes (projected workload volumes may fluctuate plus or minus 10%)

			FY2003	FY2004	FY2005	FY 06 (Oct 05– Mar 06)	FY 07	FY 08	FY09	FY10	FY11
CLIN 1 (Mail Operations)	<i>Incoming Mail</i>	Madrid Filings	0	1,436	451	150	300	300	300	300	300
		USPS mail received	392,726	216,761	132,841	65,000	125,000	125,000	125,000	125,000	125,000
		Letters of Protest	NDA	NDA	NDA	NDA	900	925	950	975	1000
		USPS-returned Mail				7,000	7,000	7,000	7,000	7,000	7,000
		Fee Window Incoming Mail	22,598	18,468	5,426	2,300	2,000	1,500	1,500	1,500	1,500
		Offsite Mail Received	4,129	3,387	2,247	1,200	800	500	500	500	500
		Mail from Patents Mailroom	NDA	NDA	5,723	14,000	15,000	15,000	15,000	15,000	15,000
		Couriered Mail Received	32,726	24,796	14,514	1,751	4,000	3,000	2,500	2,000	1,500
		Interoffice Mail Pickups	NDA	NDA	NDA	500	500	500	500	500	500
	<i>Outgoing Mail</i>	Metered Mail	1,200,000	1,200,000	1,029,118	435,000	800,000	750,000	750,000	700,000	600,000
		Mail Picked Up from Service Centers to be Mailed	NDA			25,000	25,000	25,000	25,000	20,000	20,000
		Mail sent to International Bureau	0	3,079	5,230	300	600	700	700	700	700
		Work Location Routing Sheets Sent to 4 th Floor Distribution Area	0	0		95,000	200,000 * may be eliminated with workflow system	200,000 * may be eliminated with workflow systems	200,000 * may be eliminated with workflow systems	200,000* may be eliminated with workflow systems	200,000* may be eliminated with workflow systems

		Physical Location Routing Sheets Boxed for Warehouse Pickup				95,000	200,000	200,000	200,000	200,000	200,000
		TEAS Printouts	25,431	250,819	197,270	85,000	200,000 may be eliminat ed with workflo w system	200,000 may be eliminat ed with workflo w system	200,000 may be eliminat ed with workflo w system	200,000 may be eliminate d with workflo w system	200,000 may be eliminate d with workflo w system
		RightFaxes	NDA	NDA	NDA	8,000	15,000	15,000	15,000	15,000	15,000
CLIN 2 (Fee Process- ing)		New Paper Applications	102,257	68,556	35,407	10,000	20,000	20,000	15,000	15,000	15,000
		Flatwork	220,452	162,639	79,505	35,000	70,000	70,000	60,000	60,000	50,000
		Refunds	3,282	2,513	2,738	1,400	3,000	3,000	2,000	2,000	1,000
		Window Transactions				2,600	5,000	5,000	4,000	4,000	3,000
CLIN 3 (Scann- ing)		Incoming Paper Correspondence				95,000	200,000	200,000	200,000	200,000	200,00
		Madrid				40	100	100	100	100	100
		Petitions Papers				250	500	500	400	300	200
		Voluminous Evidence				800	1,500	1,500	1,500	1,500	1,000
		TTAB Documents Scanned				300	600	600	600	600	400
		Online Requests Via Email				500	1,000	1,000	500	250	100
		Pending Applications				230	100	50	25	25	20
		Miscellaneous Classifying				500	1,000	1,000	1,000	1,000	1,000
		New Paper Applications				10,000	20,000	20,000	15,000	15,000	15,000
CLIN 4 (Scann-			NA	NA	NA	NA	307,500	307,500	0	0	0

ing Registere d Files)											
CLIN 5 (Tagging)		Paper Applications				9,000	18,000	18,000	18,000	18,000	18,000
		TEAS Applications				130,000	280,000	302,000	326,000	352,000	380,000
		Madrid Applications				6,500	14,500	15,600	16,800	18,100	
		Informalities				1,200	2,000	2,000	2,000	2,000	2,000
CLIN 6 (Proofrea ding)		Files Received				101,633	225,000	245,000	265,000	286,000	

NDA – no data available

C.6 Summary of Cycle Time Requirements

Incoming Mail	
• Pick up Mail	
○ From Pickup Locations within Madison East	Twice Daily (10- 11 am and again 3-4 pm)
○ Crystal City PO	Once daily
○ UPS Store	As requested
○ OG Proofs	Once a week, and not until OCIO announces they are ready for pickup
○ Other Printouts	As Requested
• Deliver Sorted Mail	
○ General Mail	Twice Daily (10- 11 am and again 3-4 pm) and within 2 days of receipt in the mailroom
○ Work Location Routing Sheets w/fees	Within 3 days of receipt in the mailroom
○ Work Location Routing Sheets w/o fees	Within 2 days of receipt in the mailroom

○ TEAS Routing Sheets	Within 4 hours of receipt of the email
• USPS-Returned Mail	Within 1 day of receipt in the mailroom
• Internal Mail Inquiries	Within 4 hours of the request
• Mailing Applicant-Filed Postcards	Within 2 days of receipt in the mailroom
• Dispatching Outgoing Mail	Within 1 day of pickup from locations within Madison East and within 1 day of receipt for items delivered by others to the mailroom
• Special Handling Outgoing Mail	Within 1 day of notification of special handling needed
• Tracking Courier-Barcoded Mail	Within 4 hours of receipt in the mailroom
• Processing Rightfaxes	Within 1 day of receipt in the electronic folder
• Processing Unprocessable Mail	Within 2 days of receipt in the mailroom
• Monitoring/Taking Action on all Email Boxes	Within 1 day of receipt in the email box
• Process Internal Informalities Requests	Within 4 hours of the request.
Fee Processing	
• Daily Reconciliations	By COB each day
• Fee Transactions on All Filings	Within 2 days of the receipt at the fee window or in the mailroom
• Internal Fee Inquiries	Within 4 hours of the inquiry
• Resolving Fee Problems	Within 4 hours of the inquiry
Scanning	
• Paper Applications	Within 5 days of receipt in the mailroom must have completed all processing (tagging, scanning, fee processing, file assembly, final transactions)
• IPC	Within 2 days of receipt in the mailroom
• Other	Within 1 day of the request
Tagging	
• TEAS Applications	Within 1 day of application retrieval through firewall
• Paper Applications	Within 5 days of receipt in the mailroom must have completed all

	processing (tagging, scanning, fee processing, file assembly, final transactions)
• Informalities	Within 4 hours of the request
Proofreading	Within 5 days of appearance on the CM154

Refers to “Business” hours and days.

SECTION D - PACKAGING AND MARKING

D.1 PACKING FOR DOMESTIC SHIPMENT

Any deliverable/report required under this contract shall be delivered in accordance with standard commercial practices and shall be marked with the Contract Number. Deliverables, reports and manuals may also be requested to be submitted electronically.

SECTION E – INSPECTION AND ACCEPTANCE

E.1 GOVERNMENT QUALITY CONTROL PROCEDURES

- 1.1 **Introduction.** These Procedures will be used by the government to monitor and evaluate the adherence to the contract and to the Contractor's Proposed Quality Assurance Plan which will be incorporated into the resultant contract. These procedures involve reviewing and auditing the services and activities to verify that they comply with the applicable procedures and standards, and assuring the appropriate visibility for the results of the audits and reviews.

These procedures serve as a guide of QC activities and will be tailored further by a Quality Control Team to fit their specific activities. The QA Team will be coordinated by a Technical Monitor who will report to the COTR. The Team will consist of specialists from the Office of Trademark Services, Pre-examination Unit, the Office of Trademark Program Control, and the Office Of the Chief Information Officer, Trademark Systems Division. The role of the QC Team is to assist the COTR in monitoring the contract.

- 1.2 **Purpose.** These procedures describe the standards and processes used by the government to inspect the quality of services provided by the contractor. The QC process is concerned with establishing the authority of the QC function, quality assurance standards, procedures, policies, and monitoring/evaluation processes to determine quality in relation to established standards. QC provides standards against which the quality of the service being provided and the progress toward completion can be measured. QC activities concentrate on the prevention of problems through the continuous improvement of processes.

1.3 Quality Control Procedures

Different methods and techniques will be utilized depending upon the specific quality control activity. The techniques, tools, and procedures that will be used are as follows:

- Walkthroughs – Formal or informal, structured walkthroughs are used for orientation, examining promising ideas, identifying defects or errors, and importing products and services at any stage in the process.
- Reviews – An independent evaluation of an activity or process to assess compliance with established procedures; or to examine products or processes against quality factors through the use of checklists, interviews, and meetings.
- Audits – an independent examination of a work product or process to determine compliance with specifications, standards, contractual agreements, or other pre-established criteria.
- Evaluations – An evaluation activity that examines products/services to determine compliance to requirements.
- Process improvement – A process improvement program designed to reduce the error rate in a process.

Each of the following tasks must be reviewed against COTR-issued work instructions, and contract requirements, the contractor's Quality Assurance Plan which is incorporated in the resultant contract, compared to contractor production reports, and inspected against the error-free standard and cycle time requirements. The Government QC Team will provide the COTR with a weekly report will be provided to the COTR and will be discussed with the contractor at monthly status meetings.

A. Mailroom

- **Rightfaxes**. Review the folder of faxes awaiting processing once a week. Review the incoming faxes in TICRS for the previous week against the production counts recorded on the COTR report. Review at least 10 faxes a week
- **Incoming Mail**. Conduct a walkthrough of the mailroom weekly to ensure no mail is sitting around unprocessed. Check all delivery locations at least once a bi-week to ensure that incoming mail was opened, everything that should have been scanned was, to ensure routing is accurate. Validate mail dates assigned at least once a week. Verify that courier-barcoded mail is being tracked by checking no fewer than 5 a week.
- **Outgoing Mail**. Conduct a walkthrough each week of all pickup locations, ensuring outgoing mail is picked up. Check metered outgoing mail to ensure correct postage is being applied and that mail is sealed. Verify that incoming applicant-supplied postcards are being processed out timely, that all outgoing mail is being processed timely,
- **Mail Equipment**. Check the postage meters and compare to COTR report. Ensure enough money is left for use by the meter equipment. Make sure the equipment is functioning properly, that imprinters have enough ink and that sealers and folders are working properly.

- **USPS Returned Mail.** Review the CM159, the CM156, and the CM53 for unprocessed USPS-returned mail. Check the prosecution history of at least 10 USPS-returned mail items each week by selecting the documents out of TICSRS.
- **TEAS Processing.** Check the incoming TEAS filings at least once a week to ensure these are being printed timely. Check the printouts at least once a week to see if it matches an email attachment.
- **File Assembly.** Check 100 files assembled each week until the assembly of electronic files is eliminated and then decrease volume accordingly. Ensure the serial number barcode on the file wrapper matches the serial number of the contents of the file. Ensure the file is in the proper physical and logical location awaiting transfer to the warehouse.

B. **Scanning**

- **Incoming Paper Correspondence.** Select at least 100 scanned documents a week from the boxes awaiting pickup and transfer to the warehouse. Ensure the documents are two-hole punched, that the Physical Location Routing Sheet is attached, that the correct serial number is associated with the document, that the document is in TICSRS and is legible. Check the prosecution history of the s/n to ensure only one entry was made.
- **New Paper Applications.** Select 10 new paper applications a week and review the physical file contents against the electronic record in TICSRS.
- **Registered Files.** Select 100 scanned files a week and review the contents of the physical file against the electronic record in TICSRS. Ensure that the registration certificate and the most recent incoming document were classified correctly. Check that TRAM is showing the scanning flag is set. Ensure that the contractor is scanning files in the approximate order as listed by the government.
- **Other.** Review the special request email boxes weekly to ensure no outstanding scanning or reclassification requests go unprocessed. Check no fewer than 5 informalities each week to ensure transactions were accurately applied, that the correct form letter was used. Check refund in RAM and check TRAM. Check the electronic folders and directories monitored by the contractor once a week. Check 5 scanners a week for scanner maintenance.

C. **Tagging.** The QA Team will review 100% of the files that are tagged and uploaded, as bulleted below. Errors found will be corrected and entered into Tradeups by the Pre-examination LIE'S, and upon completion the Lead LIE's will do a second review to ensure that the corrections made by the LIE's in Tradeups are appropriate, thus ensuring the government doesn't introduce errors where there were none.

- The Mark, Mark Drawing Code, Pseudo Mark, Design Search Code and International Classes are the only fields reviewed in TEAS applications, although the QA Team may add the correspondence addresses to the review. The International Classes are reviewed only when the applicant does not enter it.
- All Data Fields in paper applications are reviewed for accuracy.
- The Mark Drawing Code, Pseudo Mark, Entity and Citizenship are reviewed in the 79 series applications.

- The Mark, Pseudo Mark, Mark Drawing Code, Color Flag and Design Search Code fields are reviewed in the TEAS PLUS applications.
- The Mark Drawing Code and the Pseudo Mark in all MDC 4 applications with the Standard Character Statement are reviewed.

D. Fee Processing. Select at least 100 documents processed each week. Verify appropriate fees were applied. Conduct weekly walkthroughs of fee processing area to ensure no documents are sitting around unprocessed. Contact the PTO Office of Finance each month to inquire about reconciled submissions from the Trademark Finance Office. Verify the public service window is staffed during contract hours.

D. Proofreading. Check 100 proofed files a week. Verify daily count on CM154 does not exceed a week's worth of proofing. Check 5 bounced files each week to ensure Jnotes were created, that file was charged back to the Law Office, and that reason for query is correct.

E.2 GOVERNMENT INSPECTION

If any of the services do not conform with contract requirements, the Government may require the contractor to perform the services again in conformity with contract requirements, at no additional charge to the Government nor increase in the contract amount.

SECTION F: DELIVERIES AND PERFORMANCE

F.1 PLACE OF PERFORMANCE

All contract performance shall be accomplished at the USPTO facility, 600 Dulany Street, Alexandria, VA.

F.2 REPORTS

Delivery of reports shall be made to:

(To be provided at time of award)

At a minimum each report shall contain the following information on the first page:

- Contractor Name
- Contract Number
- Title of Report
- Date of Report
- Time period covered

SECTION G - CONTRACT ADMINISTRATION DATA

G.1 CONTRACT ADMINISTRATION

Notwithstanding the Contractor's responsibility for total management during the performance of the contract, the administration of the contract will require maximum coordination between the USPTO and the Contractor. The following individuals will be the USPTO points of contact during the performance of the contract.

(a) Contracting Officer's Technical Representative

A Contracting Officer's Technical Representative (COTR) will be designated on authority of the Contracting Officer to monitor all technical aspects and assist in administering the contract. The types of actions within the purview of the COTR's authority are to assure that the Contractor performs the technical requirements of the contract; to perform or cause to be performed inspections necessary in connection with performance of the contract; to maintain both written and oral communications with the Contractor concerning the aspects of the contract within his/her purview; to issue written interpretations of technical requirements of Government drawings, designs and specifications; to monitor the Contractor's performance under the contract and notify the Contractor and Contracting Officer of any deficiencies observed; and to coordinate Government-Furnished Property or Data availability and provide for site entry of Contractor personnel if required. A letter of designation will be issued to the COTR with a copy supplied to the Contractor, stating the responsibilities and limitations of the COTR. This letter will clarify to all parties to the contract the responsibilities of the COTR. At no time may the scope of work, price, delivery dates, or other mutually agreed upon terms or provisions of the contract be changed without being executed in writing by the Contracting Officer authorizing such changes.

(b) Contracting Officer

All contract administration will be effected by the Contracting Officer, address as shown on the face page of the contract. Communications pertaining to contract administration matters will be addressed to the Contracting Officer. No changes in or deviation from the scope of work shall be effected without a Supplemental Agreement executed by the Contracting Officer authorizing such changes.

G.2 CONTRACTING OFFICER'S AUTHORITY

The Contracting Officer is the only person authorized to make or approve any changes in any of the requirements of the contract and notwithstanding any provisions contained elsewhere in the contract, the said authority remains solely in the Contracting Officer. In the event the Contractor makes any changes at the direction of any person other than the Contracting Officer, the change will be considered to have been made without authority and no adjustment will be made in the contract price to cover any increase in costs incurred as a result thereof.

G.3 CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR)

(a) The Contracting Officer hereby designates the individual named below as the Contracting Officer's Technical Representative.

NAME: (to be designated at contract award)
ADDRESS: U.S. Patent and Trademark Office
(to be designated at contract award)
PHONE NO: (to be designated at contract award)

The COTR may be changed at any time by the Government without prior notice to the Contractor but notification of the change, including the name and address of the successor COTR, will be promptly provided to the Contractor by the Contracting Officer in writing.

(b) The responsibilities and limitations of the COTR are as follows:

- (1) The COTR is responsible for the technical aspects of the project and technical liaison with the Contractor. The COTR is also responsible for the final inspection and acceptance of all reports, and such other responsibilities as may be specified in the contract.
- (2) The COTR is not authorized to make any commitments or otherwise obligate the Government or authorize any changes, which affect the contract price, terms or conditions. Any Contractor request for changes shall be referred to the Contracting Officer directly or through the COTR. No such changes shall be made without the expressed prior authorization of the Contracting Officer. The COTR may designate assistant COTR(s) to act for him by naming such assistant in writing and transmitting a copy of such designation through the Contracting Officer to the Contractor.

G.4 INVOICING AND PAYMENT INSTRUCTIONS

(a) For Search File Reclassification Services work completed by the contractor and inspected and accepted by the USPTO, invoices shall be submitted in an original and two (2) copies to the following address:

**U.S. Patent and Trademark Office
Office of Finance, Mail Stop 17
P.O. Box 1450
Alexandria, VA 22313-1450**

(b) An invoice shall be provided for each completed CLIN from an executed task/delivery order. To constitute a proper invoice, the invoice must include the following information or attached documentation:

- (1) Name of Contractor, invoice number and invoice date;
- (2) Contract number and task/delivery order number (one per invoice);
- (3) Description, price, and quantity of each CLIN ordered under that specific task/delivery order;
- (4) Payment terms;
- (5) Name, title, phone number, and complete mailing address of responsible official to whom payment is to be sent.
- (6) Period of performance covered by the invoice
- (7) The following statement on the original of each invoice:

COTR'S CERTIFICATION

I certify to the best of my knowledge and belief that the services/products shown on the invoice have been performed and are accepted.

COTR Signature

Date

(c) If items are rejected for failure to conform to the contract requirements, the provisions in the Prompt Payment clause (FAR 52.232-25--see Section I) will apply to the new acceptance of replacement items.

G.5 INVOICING/PAYMENT FREQUENCY

The Contractor shall submit invoices on a monthly basis.

G.6 ELECTRONIC PAYMENT INFORMATION

(a) The information required by the clause 52.232-38, Submission of Electronic Funds Transfer Information with Offer, shall be forwarded by the Contractor to the below designated office no later than seven (7) days after contract award:

**U.S. Patent and Trademark Office
Office of Finance, Mail Stop 17
P.O. Box 1450
Alexandria, VA 22313-1450**

(b) In the event payment is assigned to a bank, thrift, or other financing institution pursuant to the clause FAR 52.232-23, Assignment of Claims, the Contractor should forward the form to the assignee for completion.

SECTION H - SPECIAL CONTRACT REQUIREMENTS

H.1 52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT

(MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor ; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 30 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed five years

Exercise of an option will result in the following contract modifications:

The Period of Performance of the contract will be extended as follows:

Option Period	Period of Performance
Option I	12 months from expiration of the base year period of performance
Option II	12 months from expiration of Option I
Option III	12 months from expiration of Option II
Option IV	12 months from expiration of Option III

H.2 INSURANCE COVERAGE

Pursuant to the clause "Insurance - Work on a Government Installation (FAR 52.228-5)," the Contractor will be required to present evidence to show, as a minimum, the amounts of insurance coverage indicated below:

- (a) Workers Compensation and Employer's Liability. The Contractor is required to comply with applicable Federal and State workers' compensation and occupational disease statutes. If occupational diseases are not compensable under those statutes, they shall be covered under the employer's liability section of the insurance policy, except when contract operations are so commingled

with a Contractor's commercial operations that it would not be practical to require this coverage. Employer's liability coverage of at least \$100,000 shall be required, except in States with exclusive or monopolistic funds that do not permit workers' compensation to be written by private carriers.

- (b) General Liability. The Contractor shall have bodily injury liability insurance coverage written on the comprehensive form of policy of at least \$500,000 per occurrence.
- (c) Automobile Liability. The Contractor shall have automobile liability insurance written on the comprehensive form of policy. The policy shall provide for bodily injury and property damage liability covering the operation of all automobiles used in connection with performing the contract. Policies covering automobiles operated in the United States shall provide coverage of at least \$200,000 per person and \$500,000 per occurrence for bodily injury and \$20,000 per occurrence for property damage.
- (d) Aircraft Public and Passenger Liability. When aircraft are used in connection with performing the contract, the Contractor shall have aircraft public and passenger liability insurance. Coverage shall be at least \$200,000 per person and \$500,000 per occurrence for bodily injury, other than passenger liability, and \$200,000 per occurrence for property damage. Coverage for passenger liability bodily injury shall be at least \$200,000 multiplied by the number of seats or passengers, whichever is greater.

H.3 KEY PERSONNEL

- (a) The Contractor shall assign to this contract the following key personnel:

Project Manager

- (b) During the first ninety (90) days of performance, the Contractor shall make no substitutions of key personnel unless the substitution is necessitated by illness, death, or termination of employment. The Contractor shall notify the Contracting Officer within 15 calendar days after the occurrence of any of these events and provide the information required by paragraph (c) below. After the initial 90-day period, the Contractor shall submit the information required by paragraph (c) to the Contracting Officer at least 15 days prior to making any permanent substitutions.
- (c) The Contractor shall provide a detailed explanation of the circumstances necessitating the proposed substitutions, complete resumes for the proposed substitutes, and any additional information requested by the Contracting Officer. Proposed substitutes should have comparable qualifications to those of the

persons being replaced. The Contracting Officer will notify the Contractor within 15 calendar days after receipt of all required information of the decision on substitutions. The contract will be modified to reflect any approved changes of key personnel.

H.4 GOVERNMENT HOLIDAYS

The following legal holidays are observed by this Government agency. Holidays falling on Saturdays are observed on the Friday preceding the holiday, while those holidays falling on Sundays are observed on the Monday following the holiday.

New Year's Day	January 1
Martin Luther King, Jr's Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in
November	
Christmas Day	December 25
Inauguration Day	January 20, 2009

The Contractor shall comply with the aforementioned Government holidays and any other day designated by Federal Statute, Executive Order, or Presidential proclamation, therefore, the Government offices are closed to the Contractor's staff on the day(s) these holidays are observed. In addition, on-site work shall not be required of the Contractor when Federal employees are released from work early due to inclement weather conditions or emergencies or when Federal offices are closed due to inclement weather conditions or emergencies (status available at <http://www.opm.gov/status/>). The COTR will notify the contractor when early release of Federal employees has been authorized.

H.7 ACCESS TO GOVERNMENT FACILITIES

During the life of the contract, the rights of ingress and egress to and from the Government facility for Contractor personnel shall be made available as required per each individual task order. During all operations on Government premises, Contractor personnel shall comply with the rules and regulations governing the conduct of personnel and the operation of the facility. The Government reserves the right to require Contractor personnel to sign in upon ingress and sign out upon egress to and from the Government facility.

H.8 DUPLICATION AND DISCLOSURE OF CONFIDENTIAL DATA

Duplication or disclosure of confidential data provided by the USPTO or to which the Contractor will have access as a result of this contract is prohibited. It is understood that throughout performance of the contract the Contractor may have access to confidential data which is the sole property of the USPTO, as well as access to proprietary data which is the sole property of other than the contracting parties. The Contractor hereby agrees to maintain the confidentiality of all such data to which access may be obtained throughout contract performance whether title thereto vests in the USPTO or otherwise. The Contractor hereby agrees not to disclose said data, any interpretations thereof or data derivative there from, to unauthorized parties in contravention of these provisions without prior written approval of the CO or the party in which title thereto is wholly vested. This clause also applies to any subcontractors and/or consultants used by the Contractor.

H.9 Type of Contract

This is a firm fixed price services contract.

H.10 REFERENCE TO CLAUSE PTO-04C

Reference is made to Section H Clause PTO-04C, the paragraph entitled "Secrecy and Usage of Patent Information" not apply to this requirement.

SECTION L: INSTRUCTIONS TO OFFERORS

L.2. INQUIRIES

All offerors who would like to submit questions, in relation to the requirement described in this RFP, must submit questions NO LATER THAN 5 PM June 23, 2006. Questions shall be submitted by email to the Contracting Officer, Eileen.McGlinn@USPTO.GOV with a copy to the COTR, Marian.Bruffy@USPTO.GOV. Questions will not be answered unless addressed in this manner. The USPTO *intends* to respond to the questions received by June 23, 2006 at the Q&A session on June 27, 2006. Inquiries and USPTO responses, received by the due date, that are not answered at the Site Visit and following meeting on June 27 will be posted to the USPTO web site (Procurement area). Note, if the RFP itself provides the answer to the offeror's question, the Contractor Officer will provide the answer that "The solicitation is clear on its face." Verbal answers provided by the Contracting Officer DO NOT constitute a change to the RFP. The RFP remains unchanged unless the Contracting Officer issues a formal amendment to the RFP.

No information or requests for clarification will be provided in response to telephone calls from Offerors.

L.3. SITE VISIT

A site visit/walk through is scheduled for Tuesday, June 27, 2006 in the Madison East Building, 600 Dulany Street, Alexandria, VA. Those interested in attending must submit each individual attendee's name and company affiliation by email to Marian.Bruffy@USPTO.GOV, no later than 5 PM June 21, 2006. Arrival time for the site visit is 9:45 AM on the first floor of the Madison East Building, near the guard station. Badges will be passed out by Marian Bruffy beginning at 9:45 AM. The site visit will begin promptly at 10:00 am. Visitors must have USPTO-issued visitor badges to attend the site visit.

A question and answer session (to address inquiries submitted by email by the cut off date in Clause L.2 will follow the site visit. The question and answer session is scheduled to be held in the Jefferson Conference Center.

L.4 PERIOD OF ACCEPTANCE FOR OFFERS

Provision L.4 supercedes any information on the cover page of this RFP with respect to the time period the offeror's offer will be valid for acceptance. Unless the offeror explicitly states otherwise, its offer shall be valid for acceptance by the Government for 120 calendars days from the date the RFP closes.

L.5 PROPOSAL AND TECHNICAL INFORMATION SUBMISSION REQUIREMENTS

In order to be considered for award offerors must submit a "proposal" and "technical information." Proposal and technical information shall be addressed as follows:

USPTO

Office of Procurement
PO Box 1450
Mail Stop 6
600 Dulany Street
Alexandria, VA 22313-1450
Attn: Eileen McGlinn

Offerors are responsible for accessing the USPTO Office of Procurement web page <http://www.uspto.gov/web/offices/ac/comp/proc/currproj.htm> for any amendments and/or additional information regarding this RFP.

The offeror is required to submit an original and (2) copies of the proposal and technical information in the following format:

Volume I:

- Technical Approach
- Past Performance
- Quality Assurance Plan

Volume II :

- Price Proposal - A completed Section B of the RFP, entitled “Supplies/ Services and Prices”, with supporting detail
- A completed Section K “Representations and Certifications” or reference that current reps and certs are on OCRA (a component of the proposal)

The “proposal” portion of the offeror’s submission in response to the RFP consists of:

1. A signed RFP cover page, along with signed cover pages of all amendments to the RFP
2. A completed Section B of the RFP, entitled “Supplies/ Services and Price”, with supporting detail
3. A completed Section K (Representations and Certifications), or reference to current reps and certs on OCRA
4. Quality Assurance Plan

ORAL PRESENTATIONS

If the USPTO conducts Oral Presentations, the following procedures will apply to this procurement. The Government intends to evaluate proposals and award a contract (or contracts) without discussions with offerors. The Government reserves the right to

conduct Oral Presentations with the top-ranked offeror or offerors. Oral Presentations will only be held if deemed necessary by the Government. Oral Presentations are not discussions. The Oral Presentation is not an invitation to revise an offeror's technical and/or price proposal. Should one or more Oral Presentations be conducted, the following instructions apply:

- The notified offeror(s) will be invited to make an oral presentation to the Government. The oral presentation including a question and answer period may last up to a maximum of 90 minutes. Visual aids may be used by the offeror in making its Oral Presentation, however any visual aid must be submitted at least at least one full working day prior to the presentation and must consist of only that subject matter which will be covered during the Oral Presentation.
- The Government will not provide any equipment for the presentations. Any documents, presentations, laptops, projectors, etc. are solely the responsibility of the offeror.
- At the conclusion of its oral presentation, each offeror may be asked to answer questions regarding its presentation. The question and answer segment will be for a maximum of 30 minutes.
- The Oral Presentation and the question and answer session will be evaluated using the evaluation criteria set forth in Section M of the RFP where applicable.
- The Contracting Officer will schedule the Oral Presentations and will notify each offeror of the date, time, and location of the Oral Presentation.
- The oral presentation and the question and answer session will not constitute a part of the proposal, and the information communicated thereby will not become a part of any contract resulting from this RFP. Neither the oral presentation nor the question and answer session will constitute discussions as defined in [Federal Acquisition Regulation sec.] 15.601 and 15.610.

Only that portion of the presentation which has been completed during the 60 minute time period, including any presentation materials (presented and narrated), shall be considered in the evaluation. An offeror's oral presentation must be made by one or more of the persons whom the offeror will actually employ to manage the prospective contract. The offeror should have in attendance whomever the offeror believes is necessary to best respond in a manner that reflects that the offeror clearly understands the USPTO requirement.

- The offeror shall not address its price proposal, nor any exception/deviation from the solicitation provisions, and terms and conditions.

During the oral presentation the offeror **must** address the following topics within a maximum of 60 **minutes**:

Technical Approach

Quality Assurance Plan

Whether or not invited for an Oral Presentation, the offeror must provide a written response to Technical Approach, Past Performance, Quality Assurance Plan, and Price as follows:

A. TECHNICAL APPROACH

The offeror will describe its ability to provide and manage the full range of management and technical activities to successfully perform service in accordance with the scope of work in 15 pages or less. The offeror will address its staffing plan with respect to recruitment. The offeror will address a transition plan that will allow it to be fully functional on October 2, 2006. The offeror will explain how the above average information technology skills of its Program Manager will better support the offeror's ability to successfully perform services in accordance with the scope of work. The offeror should describe any risks associated with the solicitation and with the implementation of the offeror's approach to personnel resources, as well as describe techniques and actions to mitigate such risks. The offeror should provide any other information the offeror considers relevant to the solicitation.

The evaluation will consider relevance, credibility, responsiveness, and completeness of the approach. The USPTO will assess the offeror's understanding of the requirement and viability of the planned approach.

B. PAST PERFORMANCE INFORMATION

The Past Performance Information shall not exceed seven (7) pages in total inclusive of all Offeror references. This description must include, at a minimum:

- 1) Experience in managing similar size requirements and performing comparable or relevant experience.

This section shall demonstrate the Offeror's experience and past success at providing skilled personnel and ability to manage requirements, which are the same, or similar to those addressed in this RFP.

2) List of current or previous contracts; (excluded from seven (7) page limitation)

The Offeror shall provide current points of contact (Contracting Officer and COTR), point of contact's telephone number, fax number, email addresses (if available), contract title (if applicable), contract number, contract type, period of performance, dollar amount, and description of the work performed for at least three (3) Government and/or commercial contracts. The Offeror should provide information on any problems encountered on the identified contracts and the corrective action taken.

3) A Past Performance Questionnaire form in Attachment J.4 of this RFP is provided for the offeror to give to their references. This form should be completed by the reference and submitted via fax or email not later than the RFP submission due date to the following (as per attachment instructions):

U.S. Patent and Trademark Office
Office of Procurement
Attn: Eileen M. McGlinn
Mail Stop 6
P.O. Box 1450
Alexandria, VA 22313-1450
FAX number: 571-273-0284
Email: eileen.mcglinn@uspto.gov

Any information found to be unreliable may result in a negative rating to the offeror. If a prime contractor is not able to provide three (3) references, the offeror shall certify that the references provided are all of the references available as of the date of submission. False information provided concerning references or offeror certifications will result in the USPTO not considering an offeror for award of any resulting contracts. If an offeror cannot provide requisite number of references, a certification so stating is required.

Notes:

* The USPTO reserves the right to determine which contracts submitted by the Offeror are relevant to the requirements and to evaluate only those references.

* In the conduct of its past performance evaluation of Offerors, the USPTO may use a variety of information sources in addition to information provided by the Offeror. These

sources may include, but are not limited to, technical reports, commercial or any available published information, and information derived from present or past Government or commercial customers of the Offeror. The USPTO may use past performance information obtained from sources other than those identified by the Offeror. Those Offerors who have no relevant past performance history will not be evaluated either favorably or unfavorably on past performance.

* The USPTO reserves the right to either contact the references provided or to rely on the reference submissions. By providing the USPTO the above contacts, the Offeror is certifying that it has contacted the referenced individuals and given permission for the USPTO to contact said individuals. In the event that the USPTO needs to contact the reference for further information and the reference does not respond within a reasonable time frame, the past performance reference may not be considered.

C. QUALITY ASSURANCE PLAN

The Quality Assurance Plan shall not exceed ten (10) pages in total. The successful offeror's Quality Assurance Plan (QAP) will be incorporated into the contract at the time of award. The Government Team will provide a Contracting Officer and Contracting Officer's Technical Representative for implementation of the QAP.

The QAP shall, at a minimum, address the following.

- (1) Evaluation for every CLIN performed or delivered under this contract. The plan must detail the procedures to be utilized to insure quality performance.
- (2) Where, whom and how often contractor process controls and inspections will be performed. Contractor shall state the number of people that shall be permanently assigned to this program and their assignments.

Failure to maintain the Quality Control Program in accordance with the offeror's plan which is incorporated into the resultant contract may result in the Government's termination of the contract for default.

Note: The Quality Assurance Plan will be incorporated into the resultant contract and will be binding.

7. PRICE

The USPTO anticipates award of a firm-fixed price contract.. Offerors shall provide unit pricing for each CLIN listed in Section B, “Schedule of Supplies/Services and Prices,” and submit this with their proposal. Offerors must propose unit prices for each CLIN for all periods of performance. Offerors **MUST ALSO** provide detailed cost data which demonstrates each element (quantity of labor hours or FTE, labor rates, taxes, benefits, etc.) of the price build for each of the proposed unit prices. The offeror’s proposed pricing shall comply with Department of Labor Wage Determination 94-2103 (Rev 35), Attachment XV.

L.5 OFFEROR MAY SUBMIT AN ALTERNATE PROPOSAL

If an offeror has an innovative approach (that is not in complete compliance with Section C – Statement of Work), the offeror may submit an alternate proposal which will be considered by the USPTO. To be considered the offeror must provide a Technical Approach and Pricing response, labeled as Alternate Proposal, in accordance with the content and format instructions set forth in the preceding paragraph. The offeror shall also submit a corresponding Quality Assurance Plan, if the Plan submitted with the conventional proposal is not appropriate to the alternate approach.

Section M: EVALUATION FOR AWARD

52.217-05 Evaluation of Options July 1990

M.6. Single Or Multiple Award

- The USPTO intends to make a single award.

M4(revised) Award Without Discussions

The USPTO intends to award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the offeror's best proposal. The USPTO reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. Should the Contracting Officer determine it necessary to conduct discussions, such discussions may be conducted as described in either the Federal Acquisition Regulation (FAR) or the Patent and Trademark Office Acquisition Guideline (PTAG).

If discussions are conducted in accordance with the FAR, the Contracting Officer may determine that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted. In such

circumstances, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated offerors.

If discussions are conducted in accordance with the PTAG, negotiations may be conducted with the most highly rated offeror only. If discussions are held with a single offeror, but fail to yield an agreement, USPTO reserves the right to negotiate with the next highest ranked offeror or offerors.

M.3 BASIS OF CONTRACT AWARD

The basis for award of a contract as a result of the RFP will be an integrated assessment by the USPTO based on the evaluation factors described below. Award will not be automatically determined by numerical calculation or formula.

Award of any contract will be made to the responsive, responsible Offeror whose technical proposal including options, as well as *technical information*, and price proposal including options represents the best overall value to the USPTO.

Evaluation Factors are listed here in descending order of importance:

Factor A Technical Approach

Factor B Past Performance

Factor C Quality Assurance Plan

Factor D Price

When combined the Non-Price Factors are significantly more important than the Price Factor.